

Message Text

SECRET

PAGE 01 CARACA 14698 221501Z
ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 NSCE-00 /026 W
----- 093591 /50 45
O 221351Z DEC 76
FM AMEMBASSY CARACAS
TO SECSTATE WASHDC IMMEDIATE 6058

S E C R E T CARACAS 14698

EXDIS

E.O. 11652: XGDS-1 AND 2
TAGS: PFOR, PINS, VE
SUBJECT: INTERROGATION OF ORLANDO BOSCH

REF: STATE 303401

1. LETTERS ROGATORY AND DOCUMENTS WERE DELIVERED BY
AMBASSADOR TO ACTING FOREIGN MINISTER GOMEZ MANTELLINI
AT 5:00 P.M. DECEMBER 21. MINISTER NOTED THAT VENEZUELAN
COURTS HAD NOW ENTERED HOLIDAY RECESS AND WOULD PROBABLY
NOT BE ABLE TO TAKE COGNIZANCE OF REQUEST UNTIL JANUARY 7.
AMBASSADOR STRESSED URGENCY AND HOPE THAT INTERROGATION
COULD BE SCHEDULED AS SOON AFTER JANUARY 18 AS POSSIBLE,
PER REFTEL.

2. COMEZ SAID THAT COURTS WOULD HAVE TO DECIDE ON THE
REQUESTS FOR PROPPER'S PRESENCE. LOOKING OVER THE
DOCUMENTS HE IMMEDIATELY PICKED OUT THE REQUEST
FOR REVIEW OF "ALL COURT DOCUMENTS" (POINT 8 IN
LETTERS ROGATORY) WHICH IS MUCH MORE EXTENSIVE IN
NATURE THAN THAT INDICATED IN PARA 2, POINT 8 OF
REFTEL. HE NOTED THAT COURT RECORDS ARE IN EFFECT
SEALED (SECRETO SUMARIAL) AND MIGHT NOT BE MADE
AVAILABLE. IN ANY CASE, HE STRESSED, IT WOULD BE UP
TO THE COURTS TO DECIDE. (DEPT. SHOULD BE AWARE THAT
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PREVIOUS GOV PERMISSION REFERRED TO IN REFTEL WAS FOR
REVIEW AND INTERVIEW WITH POLICE RPT POLICE OFFICIALS.
LETTERS ROGATORY ON OTHER HAND ASK TO SEE "THE FILES
CONTAINING ALL THE INFORMATION ON ANY ORAL OR WRITTEN
STATEMENTS MADE BY MR. BOSCH TO THE COURT OR INVESTIGATIVE
OFFICERS". THIS REQUEST MOREOVER IS NOT QUALIFIED AS TO

SUBJECT, ALTHOUGH AMBASSADOR HAD INITIALLY EXPLAINED THAT US INTERROGATION WAS TO BE CONFINED STRICTLY TO LETELIER CASE PER STATE 277225.)

3. GOMEZ MANTELLINI MUSED THAT BOSCH'S DEFENSE LAWYERS MAY ALSO BE PERMITTED--AND WOULD HAVE RIGHT--TO BE PRESENT AT INTERROGATION. HOWEVER HE DID NOT OPINE AUTHORITATIVELY AND REPEATED THAT COURT WOULD HAVE TO DECIDE. (CONCERN THAT DEFENSE LAYWERS MAY USE THIS INTERROGATION TO SEEK MISTRIAL ALWAYS SEEMS UPPERMOST IN GOMEZ' MIND.)

4. GOMEZ MANTELLINI STATED THAT GOV WOULD PREFER "NO COMMENT" TO ANY PRESS QUERIES AND ASKED THAT EMBASSY MAINTAIN THAT POSITION. AMBASSADOR HAS AGREED. INTERIOR MINISTER LEPAGE HOWEVER APPARENTLY ANSWERED QUERIES LAST NIGHT (AS REPORTED IN FBIS) THAT FBI AGENTS WERE NOT NOW IN VENEZUELA AND THAT GOV HAD NOT BEEN ASKED BY US AUTHORITIES TO CARRY OUT AN INVESTIGATION CONCERNING THE LETELIER CASE. LEPAGE IS QUOTED AS SAYING THAT IN ANY EVENT US AUTHORITIES MUST GO THROUGH THE VENEZUELAN COURTS. VAKY

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NNN

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